

FIRST REGULAR SESSION

# SENATE BILL NO. 512

93RD GENERAL ASSEMBLY

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INTRODUCED BY SENATORS CALLAHAN AND BARTLE.

Read 1st time March 1, 2005, and ordered printed.

TERRY L. SPIELER, Secretary.

1746S.01I

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## AN ACT

To repeal section 575.270, RSMo, and to enact in lieu thereof one new section relating to tampering with a witness, with penalty provisions.

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*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Section 575.270, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 575.270, to read as follows:

575.270. 1. A person commits the crime of tampering with a witness if, with purpose to induce a witness or a prospective witness [in an official proceeding] to disobey a subpoena or other legal process, or to absent himself or avoid subpoena or other legal process, or to withhold evidence, information or documents, or to testify falsely, he:

- (1) Threatens or causes harm to any person or property; or
- (2) Uses force, threats or deception; or
- (3) Offers, confers or agrees to confer any benefit, direct or indirect, upon such witness; or

- (4) Conveys any of the foregoing to another in furtherance of a conspiracy.

2. A person commits the crime of "victim tampering" if, with purpose to do so, he prevents or dissuades or attempts to prevent or dissuade any person who has been a victim of any crime or a person who is acting on behalf of any such victim from:

- (1) Making any report of such victimization to any peace officer, or state, local or federal law enforcement officer or prosecuting agency or to any judge;
- (2) Causing a complaint, indictment or information to be sought and

**EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

prosecuted or assisting in the prosecution thereof;

(3) Arresting or causing or seeking the arrest of any person in connection with such victimization.

3. Tampering with a witness in a prosecution, tampering with a witness with purpose to induce the witness to testify falsely, or victim tampering is a class C felony if the original charge is a felony. Otherwise, tampering with a witness or victim tampering is a class A misdemeanor. Persons convicted under this section shall not be eligible for parole.

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Bill

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